

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:21-CV-60-BO

KAHLEIGHIA ROGERS et al.,)	
)	
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
)	
CUMBERLAND COUNTY,)	
)	
Defendant.)	

This matter is before the Court on the Memorandum and Recommendation (M&R) of United States Magistrate Judge Kimberly A. Swank. [DE 9]. No objections to the M&R have been filed, and the matter is ripe for review. For the reasons discussed below, the Court adopts the M&R in its entirety.


A district court is required to review de novo those portions of an M&R to which a party timely files specific objections or where there is plain error. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). “[I]n the absence of a timely filed objection, a district court need not conduct de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation and citation omitted).

No party has objected to the M&R, and the time for doing so has passed. The Court has reviewed the M&R and is satisfied that there is no clear error on the face of the record. Accordingly, the M&R is ADOPTED.

CONCLUSION

The M&R of Judge Swank is ADOPTED. [DE 9]. This case is DISMISSED WITHOUT PREJUDICE for failure to prosecute. The Clerk is DIRECTED to enter judgment accordingly and to close the case.

SO ORDERED, this the 29 day of April, 2021.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE